



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C18  
Serial No.: 09/905,348 Group Art Unit: 1647  
Filing Date: July 13, 2001 Examiner: Saoud, Christine J.  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**  
**EXPRESS MAIL LABEL NO. EV 765 978 948 US**  
Date Mailed: July 27, 2006

**PRELIMINARY RESPONSE**

**MAIL STOP: RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

A Notice of Non-Compliance was mailed on July 6, 2006 by the PTO in response to an Appeal Brief filed on April 17, 2006. This Preliminary Response accompanies a Request for Continued Examination (RCE) under 37 CFR §1.114 for the above identified application, and is filed within the one month period set for the response, therefore no extension fees are believed due.

This submission is accompanied by a new Declaration under 37C.F.R. §1.132 by Dr. Paul Polakis with Exhibits A and B. Also enclosed is an Information Disclosure Statement with copies of additional references in support of the Applicants' arguments. Applicants respectfully request that the Information Disclosure Statement and Declaration be made of record in the above-identified application, and be considered by the Examiner.

**Pending Claims** are reflected in the listing of claims that begins on page **2** of this paper.

**Remarks/Arguments** begin on page **3** of this paper.